

Application No. 10/088,569
Amdt. dated 04-26-06
Reply to Office Action of 10-27-05

4

REMARKS/ARGUMENTS

Petition is hereby made under the provisions of 37 CFR 1.136(a) for an extension of three months of the period for response to the Office Action. Authorization to charge the prescribed fee to our deposit account is enclosed.

The Examiner withdrew the prior rejections and introduced a new rejection of claims 12 to 23 under 35 USC 112, first paragraph, with respect to enablement.

Claims 12 and 21 have been limited to SEQ ID NO:1, plasmid pcDNA3 and intranasal or intramuscular administration. Claims 13 to 16, 19 and 20 have been deleted consequentially. The references to fragments have been deleted. It is submitted that the claims are fully enabled by the description.

With respect to the identification of the host, the disclosure is not limited to the host being a mouse, since a mouse is an accepted animal model for human chlamydial infections.

Accordingly, it is submitted that claims 12 to 23, insofar as they remain in the application and in their amended form, satisfy the requirements of 35 USC 112, first paragraph, with respect to enablement.

The Examiner rejected claims 12 to 23 under 35 USC 113, first paragraph, as failing to satisfy the written description requirement. While a separate provision under USC 112, first paragraph, the Examiner's explanation with respect to the rejection merely is no more than a reiteration of the rejection of the claims for lack of enablement with respect to the STK gene. The claims have been limited to SEQ ID NO:1.


Accordingly, it is submitted that claims 12 to 23, insofar as they remain in the application and in their amended form, satisfy the requirements of 35 USC 112, first paragraph with respect to written description.

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5

It is believed that this application is now in condition for allowance and early and favourable consideration and allowance are respectfully solicited.

Respectfully submitted,


Michael I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada,
(416) 849-8400
FAX No. (416) 595-1163